

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FRED STANFORD,

Plaintiff,

No. 19-11671

v.

Honorable Nancy G. Edmunds

KROGER LIMITED PARTNERSHIP II
d/b/a PEYTON'S NORTHERN,

Defendant.

/

ORDER OF DISMISSAL WITHOUT PREJUDICE

On June 18, 2019, the Court issued an Order to Show Cause requiring Plaintiff to show cause in writing why this case should not be dismissed for lack of subject matter jurisdiction as set forth in 28 U.S.C. § 1332(a). (Dkt. 4.) The Court's order required Plaintiff to address both the lack of complete diversity of the parties as well as the jurisdictional amount in controversy requirement. On July 3, 2019, Plaintiff filed a response to the Court's Order. (Dkt. 9.)

Plaintiff did not address the jurisdictional amount in controversy requirement in his response. And while Plaintiff noted that he filed an amended complaint naming Kroger Limited Partnership II as the sole defendant in this case, he did not properly allege its citizenship in either the amended complaint or his response. See *Glancy v. Taubman Ctrs., Inc.*, 373 F.3d 656, 677 n.19 (6th Cir. 2004) (citizenship of all members of a partnership impacts diversity jurisdiction).

THEREFORE, IT IS HEREBY ORDERED that this matter is dismissed without prejudice.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: July 10, 2019

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 10, 2019, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager